

IN THE CIRCUIT COURT FOR MONROE COUNTY, TENNESSEE  
AT MADISONVILLE

CASEY A. YATES and  
ANDREW C. YATES,

PLAINTIFFS,

vs.

RONALD GEORGE LOTT and  
HEAVY WEIGHT ENTERPRISES, INC,

DEFENDANTS.

CIVIL ACTION  
FILE NO. V190098P

FILED  
TIME 10:30 AM/PM  
MAY 16 2019  
MARTHA M. COOK  
CIRCUIT COURT CLERK

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiffs, Casey A. Yates and Andrew C. Yates, by and through counsel, and sues the Defendants, Ronald George Lott and Heavy Weight Enterprises, Inc, and would show unto the Court as follows:

PARTIES, JURISDICTION, AND VENUE

1. The Plaintiff, Mr. Casey A. Yates, is a resident of Sweetwater, Monroe County, Tennessee.
2. The Plaintiff, Mr. Andrew C. Yates is a resident of Sweetwater, Monroe County, Tennessee.
3. The Defendant, Mr. Ronald G. Lott, is a resident of Williamsport, Lycoming County, Pennsylvania and has been properly served at 29 West Village Drive, Floor 1, Williamsport, Pennsylvania 17702.
4. The Defendant, Heavy Weight Enterprises, Inc. is a domestic profit corporation located in Michigan and may be served with process by the Secretary of State through its registered agent, Amer Batal located at 5363 English Drive, Troy, Michigan 48085.
5. This complaint arises out of injuries of the Plaintiffs sustained in a collision that occurred in Monroe County, Tennessee.
6. Jurisdiction is proper in Monroe County, Tennessee, Circuit Court, pursuant to Tenn. Code

Ann. § 16-10-101.

7. Venue is proper in Monroe County, Tennessee, Circuit Court pursuant to Tenn. Code Ann. § 20-4-102.
8. This action is timely brought within one year of the discovery of the cause of action.

### FACTS

9. On 6/1/2018, at approximately 3:35 p.m., Plaintiff, Mr. Casey A. Yates, was the owner and operator of a 1999 Ford F-150, traveling northbound on Highway 68 in Monroe County, Tennessee, with Plaintiff, Mr. Andrew C. Yates as a passenger.
10. On said date and time Defendant, Mr. Ronald G. Lott, was the operator of a 2013 Peterbilt 587 Tractor Trailer Semi, also traveling northbound on Highway 68 in Monroe County, Tennessee, when Defendant, Mr. Ronald G. Lott came around the Plaintiffs' vehicle on the right side and negligently crashed into the Plaintiffs' vehicle as Plaintiffs were in the process of making a right turn onto Sky Dome Road.
11. On said date and time Defendant, Mr. Ronald G. Lott, was the operator of a 2013 Peterbilt 587 Tractor Trailer Semi acting on behalf of and engaged in the regular course and scope of his employment with Defendant, Heavy Weight Enterprises, Inc., and that said Defendant is responsible for Plaintiff's damages under the Doctrine of Respondeat Superior.
12. Properly trained drivers maintain proper lookout for changing traffic conditions.
13. Employees/agents of Heavy Weight Enterprises, Inc., has a duty to train their employees/agents to safely drive their vehicles before allowing them to drive.
14. As a result of the collision, Plaintiffs, Casey A. Yates and Andrew C. Yates, suffered severe injuries, requiring extensive medical treatment.
15. At all relevant times, Plaintiffs, Casey A. Yates and Andrew C. Yates, were abiding all

applicable and relevant laws, ordinances, and resolutions.

16. At all relevant times, Plaintiffs, Casey A. Yates and Andrew C. Yates, maintained a proper lookout.
17. There was no act of the Plaintiffs which contributed to the collision.
18. There was no failure to act of the Plaintiffs which contributed to the collision.
19. The acts and/or failures to act of the aforesaid Defendants caused the collision.
20. The wreck was caused by the negligence of the aforesaid Defendants as set out more fully below.

**NEGLIGENT DEFENDANT – RONALD G. LOTT**

21. The Defendant, Mr. Ronald G. Lott, was negligent in that he:
  - a. Failed to have his vehicle under control;
  - b. Failed to maintain a proper lookout;
  - c. Failed to stop his vehicle when there was sufficient time and space to do so; and
  - d. Failed to exercise due care in the operation of his vehicle.
22. The Defendant, Mr. Ronald G. Lott, was further guilty of negligence per se in that he violated the following sections of the Tennessee Code Annotated:
  - a. Tenn. Code Ann. § 55-8-123 Improper Passing;
  - b. Tenn. Code Ann. § 55-8-197 Failure to Yield Right of Way;
  - c. Tenn. Code Ann. § 55-50-301 Driving with Expired Driver License;
  - d. Tenn. Code Ann. § 55-10-205 Reckless Driving; and
  - e. Tenn. Code Ann. § 55-8-136 Obligation to Exercise Due Care.

**NEGLIGENT HIRING, TRAINING, ENTRUSTMENT, SUPERVISION & RETENTION,  
AND NEGLIGENT MAINTENANCE – HEAVY WEIGHT ENTERPRISES, INC.**

23. Upon information and belief, the 2013 Peterbilt 587 Tractor Tractor Semi (VIN: 1XP4DP9X0DD196114, License Tag No.: RB48512) driven by Defendant, Mr. Ronald G. Lott, on the date of the collision made the basis of this lawsuit was owned by Heavy Weight Enterprises, Inc. and was entrusted to by the Defendant, Mr. Ronald G. Lott.
24. At all times relevant to this cause of action, Defendant, Heavy Weight Enterprises, Inc. was subject to and required to obey the minimum safety standards of the Tennessee Department of Safety as well as to teach and train their employees/agents so that they would be able to understand and obey the applicable rules and regulations and safely drive their commercial vehicle.
25. At all times relevant to this cause of action, Defendant, Heavy Weight Enterprises, Inc. has a duty to promulgate and enforce rules and regulations to ensure its drivers were reasonably safe; however, Heavy Weight Enterprises, Inc., negligently failed to do so.
26. Upon further information and belief, Defendant, Heavy Weight Enterprises, Inc., knew and/or should have known that due to Defendant, Mr. Ronald G. Lott's inexperience, and/or history of negligence, that Defendant, Mr. Ronald G. Lott was not capable of responsibly operating the vehicle, a dangerous instrumentality.
27. Plaintiff avers that Defendant, Heavy Weight Enterprises, Inc., negligently or wantonly investigated, hired, trained, supervised and/or retained its employee/agent, Defendant, Mr. Ronald G. Lott.
28. Despite said knowledge, Defendant, Heavy Weight Enterprises, Inc., entrusted a dangerous instrumentality to Defendant, Mr. Ronald G. Lott.
29. The Defendant, Heavy Weight Enterprises, Inc., was further guilty of negligence per se in that

they were subject to and violated the following section of FMCSR:

- a. FMCSR §383 Commercial Driver's License Standards;
- b. FMCSR §390 General;
- c. FMCSR §391 Qualification of Drivers; and
- d. FMCSR §392 Driving of Commercial Motor Vehicles.

### DAMAGES

30. As set forth more fully above, Defendants named herein acted in a willful, wanton, and reckless manner which either alone or combined and concurring with the actions of the other, directly and proximately caused the collision and Plaintiffs' injuries.
31. As a direct and proximate result of the negligence of Defendants named herein, Plaintiffs suffered serious, painful, and disabling bodily injuries, for which they have incurred and will continue to incur medical expenses, pain and suffering, loss of enjoyment of life, and lost wages, for all of which they deserve to be compensated.
32. As a result of the Defendants knowingly, intentionally, recklessly, and/or willfully disregarding the minimum safe defensive driving practices, exemplary damages are also thus warranted in this cause.
33. As a result of the negligence of Defendants names herein, Plaintiffs are entitled to recover damages for his past, present and future economic and non-economic losses to the full extent allowed by the law of the State of Tennessee.

**WHEREFORE, Plaintiff prays for relief as follows:**

1. For process to issue and be served upon the Defendants requiring Defendants to answer the allegations hereof;
2. For a money judgment in favor of Plaintiff, Mr. Casey A. Yates, against the Defendants in

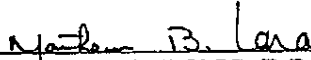
the amount of One Hundred Thousand Dollars, (\$100,000.00);

3. For a money judgment in favor of Plaintiff, Mr. Andrew C. Yates, against the Defendants in the amount of Seventy-Five Thousand Dollars, (\$75,000.00);

4. For costs to be taxed to the Defendants; and

5. For all other proper relief Plaintiffs may be entitled.

Respectfully submitted,

  
MATTHEW B. LONG, B.P.R. #032228  
Attorney for Plaintiff  
The Roth Firm -- Nashville Office  
402 BNA Drive, Ste. 410  
Nashville, Tennessee 37217  
Telephone: 615-625-5555  
Facsimile: 615-953-9538  
Email: [matt@rothlawyer.com](mailto:matt@rothlawyer.com)

<u>MONROE</u> County	<b>STATE OF TENNESSEE</b> <b>CIVIL SUMMONS</b> page 1 of 1	Case Number <u>Y1900989</u>
CASEY A. YATES and ANDREW C. YATES      Vs. RONALD GEORGE LOTT and HEAVY WEIGHT ENTERPRISES, INC		

Served On:

RONALD GEORGE LOTT

29 West Village Drive, Floor 1, Williamsport, Pennsylvania 17702

\*\*Method of Service: Secretary of State\*\*

You are hereby summoned to defend a civil action filed against you in Circuit Court, MONROE County, Tennessee. Your defense must be made within thirty (30) days from the date this summons is served upon you. You are directed to file your defense with the clerk of the court and send a copy to the plaintiff's attorney at the address listed below. If you fail to defend this action by the below date, judgment by default may be rendered against you for the relief sought in the complaint.

Issued: May 16 2019
  
 Clerk / Deputy Clerk
Attorney for Plaintiff: Matthew B. Long, Esq.615-625-3555The Roth Firm - Nashville, 402 BNA Drive, Ste. 410, Nashville, TN 37217**NOTICE OF PERSONAL PROPERTY EXEMPTION**

TO THE DEFENDANT(S): Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for your self and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state file number on list.

Mail list to \_\_\_\_\_ Clerk, \_\_\_\_\_ County

**CERTIFICATION (IF APPLICABLE)**

I, \_\_\_\_\_ Clerk of \_\_\_\_\_ County do certify this to be a true and correct copy of the original summons issued in this case.

Date: \_\_\_\_\_

Clerk / Deputy Clerk

**OFFICER'S RETURN:** Please execute this summons and make your return within ninety (90) days of issuance as provided by law.

I certify that I have served this summons together with the complaint as follows: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Please Print: Officer, Title

Agency Address \_\_\_\_\_

Signature \_\_\_\_\_

**RETURN ON SERVICE OF SUMMONS BY MAIL:** I hereby certify and return that on \_\_\_\_\_, I sent postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in the above styled case, to the defendant \_\_\_\_\_. On \_\_\_\_\_ I received the return receipt, which had been signed by \_\_\_\_\_ on \_\_\_\_\_. The return receipt is attached to this original summons to be filed by the Court Clerk.

Date: \_\_\_\_\_

Notary Public / Deputy Clerk (Comm. Expires \_\_\_\_\_)

Signature of Plaintiff \_\_\_\_\_

Plaintiff's Attorney (or Person Authorized to Serve Process)

(Attach return receipt on back)

ADA: If you need assistance or accommodations because of a disability, please call \_\_\_\_\_, ADA Coordinator, at ( ) \_\_\_\_\_

Rev. 03/11

MONROE County	<b>STATE OF TENNESSEE</b> <b>CIVIL SUMMONS</b> page 1 of 1	Case Number <u>V190098P</u>
CASEY A. YATES and ANDREW C. YATES Vs. RONALD GEORGE LOTT and HEAVY WEIGHT ENTERPRISES, INC		

Served On:

HEAVY WEIGHT ENTERPRISES, INC

Registered Agent: Amer Batal 5363 English Drive, Troy, Michigan 48085

\*\*Method of Service: Secretary of State\*\*\*

You are hereby summoned to defend a civil action filed against you in Circuit Court, MONROE County, Tennessee. Your defense must be made within thirty (30) days from the date this summons is served upon you. You are directed to file your defense with the clerk of the court and send a copy to the plaintiff's attorney at the address listed below. If you fail to defend this action by the below date, judgment by default may be rendered against you for the relief sought in the complaint.

Issued: May 16 2019Diana Shelton  
Clerk / Deputy Clerk

Attorney for Plaintiff: Matthew B. Long, Esq. 615-625-5555  
The Roth Firm - Nashville, 402 BNA Drive, Ste. 410, Nashville, TN 37217

## NOTICE OF PERSONAL PROPERTY EXEMPTION

TO THE DEFENDANT(S): Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for your self and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state file number on list.

Mail list to \_\_\_\_\_ Clerk, \_\_\_\_\_ County

## CERTIFICATION (IF APPLICABLE)

I, \_\_\_\_\_ Clerk of \_\_\_\_\_ County do certify this to be a true and correct copy of the original summons issued in this case.

Date: \_\_\_\_\_

Clerk / Deputy Clerk

OFFICER'S RETURN: Please execute this summons and make your return within ninety (90) days of issuance as provided by law.

I certify that I have served this summons together with the complaint as follows: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Please Print: Officer, Title

Agency Address

Signature

RETURN ON SERVICE OF SUMMONS BY MAIL: I hereby certify and return that on \_\_\_\_\_, I sent postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in the above styled case, to the defendant \_\_\_\_\_. On \_\_\_\_\_ I received the return receipt, which had been signed by \_\_\_\_\_ on \_\_\_\_\_. The return receipt is attached to this original summons to be filed by the Court Clerk.

Date: \_\_\_\_\_

Notary Public / Deputy Clerk (Comm. Expires \_\_\_\_\_)

Signature of Plaintiff

Plaintiff's Attorney (or Person Authorized to Serve Process)  
 (Attach return receipt on back)

ADA: If you need assistance or accommodations because of a disability, please call \_\_\_\_\_, ADA Coordinator, at ( ) \_\_\_\_\_.

Rev. 03/11





**Tre Hargett**  
Secretary of State

**Division of Business Services**  
**Department of State**  
State of Tennessee  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

HON. MARTHA M. COOK  
STE 3  
105 COLLEGE ST S  
MADISONVILLE, TN 37354-2400

06/03/2019

Case #:V190098P

Certified #:70180360000076065023

**RE: CASEY A. YATES AND ANDREW C. YATES**

**VS: RONALD GEORGE LOTT AND HEAVY WEIGHT ENTERPRISES, INC.**

Dear Clerk,

Enclosed are the following papers in the above styled case:

- ☒ Original Summons
- ☒ Affidavit and Endorsement
- ☒ Registered or Certified Return Receipt signed by:  
RON LOTT
- ☐ Registered or Certified letter returned refused
- ☐ Registered or Certified letter returned undelivered with notation:

**FILED**  
TIME 10:40 AM/PM  
JUN 06 2019  
MARTHA M. COOK  
CIRCUIT COURT CLERK

Sincerely,

Tre Hargett  
Secretary of State

Enclosures: Original Documents

SS-4210 (Rev. 8/15)

RDA 1003



Tre Hargett  
Secretary of State

Division of Business Services  
Department of State  
State of Tennessee  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

### AFFIDAVIT AND ENDORSEMENT

Case #: V190098P

06/03/2019

Certified #: 70180360000076065023

SOS Summons #: 07441614

RE: CASEY A. YATES AND ANDREW C. YATES

VS: RONALD GEORGE LOTT AND HEAVY WEIGHT ENTERPRISES, INC.

I, ANNE HACKNEY, having been duly authorized by Tre Hargett, Secretary of State of Tennessee, do hereby make oath on his behalf and under authorization as follows:

That on 05/20/2019, I received from the plaintiff the original and certified copies of the process, notice or demand issued against LOTT, RONALD GEORGE whose address is: 29 WEST VILLAGE DRIVE, WILLIAMSPORT, PA 17702 and that on 05/21/2019, I mailed by registered or certified return-receipt mail the certified copies of the process, notice, or demand to the above address together with a written notice that service was made.

I further make oath that the return receipt for the registered or certified letter was received at my office in Nashville, Tennessee, on 05/31/2019, and returned to MONROE COUNTY - CIRCUIT COURT of MADISONVILLE, TN on 06/03/2019.

*Tre Hargett*

Tre Hargett  
Secretary of State

By: *Anne Hackney*

Sworn to and subscribed before me this

3rd day of June, 2019

*Cindy Johnson*  
Notary Public

My Commission Expires: 5-5-2020





**Tre Hargett**  
Secretary of State

**Division of Business Services**  
**Department of State**  
State of Tennessee  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

THE ROTH FIRM LLC  
STE 1650  
950 E PACES FERRY RD NE  
ATLANTA, GA 30326-1302

### Receipt Detail

Receipt ID: 004819787  
Receipt Date: 05/20/2019  
Receipt Total: \$20.00

Item	Description	Check/Ref #	DLN #	Price	#	Amount
Summons	Summons	07441614		\$20.00	1	\$20.00
Payment-Account	THE ROTH FIRM LLC, ATLANTA, GA	69819		\$20.00	1	(\$20.00)

Phone (615) 741-2286 \* Fax (615) 741-7310 \* Website: <http://tnbear.tn.gov/>

RETURN TO CLERK

MONROE County	<b>STATE OF TENNESSEE</b> <b>CIVIL SUMMONS</b> page 1 of 1	Case Number <b>V1900989</b>
CASEY A. YATES and ANDREW C. YATES Vs. RONALD GEORGE LOTT and HEAVY WEIGHT ENTERPRISES, INC		

Served On:

RONALD GEORGE LOTT

29 West Village Drive, Floor 1, Williamsport, Pennsylvania 17702

**\*\*Method of Service: Secretary of State\*\***

You are hereby summoned to defend a civil action filed against you in Circuit Court, MONROE County, Tennessee. Your defense must be made within thirty (30) days from the date this summons is served upon you. You are directed to file your defense with the clerk of the court and send a copy to the plaintiff's attorney at the address listed below. If you fail to defend this action by the below date, judgment by default may be rendered against you for the relief sought in the complaint.

Issued:

May 16 2019

Dana Shelton  
Clerk / Deputy Clerk

Attorney for Plaintiff:

Matthew B. Long, Esq.

615-625-5555

The Roth Firm - Nashville, 402 BNA Drive, Ste. 410, Nashville, TN 37217

**NOTICE OF PERSONAL PROPERTY EXEMPTION**

TO THE DEFENDANT(S): Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for your self and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state file number on list.

Mail list to \_\_\_\_\_, Clerk, \_\_\_\_\_ County

**CERTIFICATION (IF APPLICABLE)**

I, \_\_\_\_\_, Clerk of \_\_\_\_\_ County do certify this to be a true and correct copy of the original summons issued in this case.

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk / Deputy Clerk

**OFFICER'S RETURN:** Please execute this summons and make your return within ninety (90) days of issuance as provided by law.

I certify that I have served this summons together with the complaint as follows: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Please Print: Officer, Title

\_\_\_\_\_  
Agency Address

\_\_\_\_\_  
Signature

RECEIVED  
STATE OF TENNESSEE  
2019 MAY 20 AM 9:47  
CLERK OF STATE

**RETURN ON SERVICE OF SUMMONS BY MAIL:** I hereby certify and return that on \_\_\_\_\_, I sent postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in the above styled case, to the defendant \_\_\_\_\_. On \_\_\_\_\_ I received the return receipt, which had been signed by \_\_\_\_\_ on \_\_\_\_\_. The return receipt is attached to this original summons to be filed by the Court Clerk.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public / Deputy Clerk (Comm. Expires \_\_\_\_\_)

\_\_\_\_\_  
Signature of Plaintiff

\_\_\_\_\_  
Plaintiff's Attorney (or Person Authorized to Serve Process)

(Attach return receipt on back)

ADA: If you need assistance or accommodations because of a disability, please call \_\_\_\_\_, ADA Coordinator, at ( ) \_\_\_\_\_.

Rev. 03/11

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

LOTT, RONALD GEORGE  
FLOOR 1  
29 WEST VILLAGE DRIVE  
WILLIAMSPORT, PA 17702



9590 9402 3902 8060 6044 95

## 2. Article Number (Transfer from service label)

7018 0360 0000 7606 5023

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

X *Ron Lott*☐ Agent☐ Addressee

## B. Received by (Printed Name)

RON LOTI

## C. Date of Delivery

5/25/19

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

**FILED**  
TIME 10:00 AM/PM  
JUN 06 2019

## 3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation<sup>1</sup>
- ☐ Signature Confirmation Restricted Delivery

MARTHA M. COURTNEY  
KIRKWOOD COURT

Domestic Return Receipt



**Tre Hargett**  
Secretary of State

**Division of Business Services**  
**Department of State**  
State of Tennessee  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

HON. MARTHA M. COOK  
STE 3  
105 COLLEGE ST S  
MADISONVILLE, TN 37354-2400

06/03/2019

Case #:V190098P

Certified #:70180360000076065016

RE: CASEY A. YATES AND ANDREW C. YATES

VS: RONALD GEORGE LOTT AND HEAVY WEIGHT ENTERPRISES, INC.

Dear Clerk,

Enclosed are the following papers in the above styled case:

- ☒ Original Summons
- ☒ Affidavit and Endorsement
- ☐ Registered or Certified Return Receipt signed by:
- ☐ Registered or Certified letter returned refused
- ☒ Registered or Certified letter returned undelivered with notation:

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

**FILED**  
TIME 10:50 AM  
JUN 06 2019  
MARTHA M. COOK  
Circuit Court Clerk

Sincerely,

Tre Hargett  
Secretary of State

Enclosures: Original Documents

SS-4210 (Rev. 8/15)

RDA 1003



Tre Hargett  
Secretary of State

Division of Business Services  
Department of State  
State of Tennessee  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

## AFFIDAVIT AND ENDORSEMENT

Case #: V190098P

06/03/2019

Certified #: 70180360000076065016

SOS Summons #: 07441545

RE: CASEY A. YATES AND ANDREW C. YATES

VS: RONALD GEORGE LOTT AND HEAVY WEIGHT ENTERPRISES, INC.

I, DARLENE LAWRENCE, having been duly authorized by Tre Hargett, Secretary of State of Tennessee, do hereby make oath on his behalf and under authorization as follows:

That on 05/20/2019, I received from the plaintiff the original and certified copies of the process, notice or demand issued against HEAVY WEIGHT ENTERPRISES, INC. AKA/POE: RA: AMER BATAL

whose address is: 5363 ENGLISH DRIVE, TROY, MI 48085,

and that on 05/21/2019, I mailed by registered or certified return-receipt mail the certified copies of the process, notice, or demand to the above address together with a written notice that service was made.

I further make oath that the registered or certified letter was not delivered but was returned to my office on 05/31/2019 containing the notation "RETURN TO SENDER NOT DELIVERABLE AS ADDRESSED UNABLE TO FORWARD" and returned to MONROE COUNTY - CIRCUIT COURT of MADISONVILLE, TN on 06/03/2019.

*Tre Hargett*

Tre Hargett  
Secretary of State

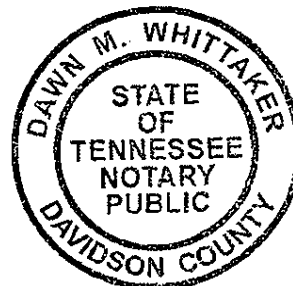
By: *Darlene Lawrence-Port*

Sworn to and subscribed before me this

3 day of June, 2019

*Dawn M. Whittaker*  
Notary Public

My Commission Expires: 07-06-2020





**Tre Hargett**  
Secretary of State

**Division of Business Services**  
**Department of State**  
**State of Tennessee**  
312 Rosa L. Parks AVE, 6th FL  
Nashville, TN 37243-1102

THE ROTH FIRM LLC  
STE 1650  
950 E PACES FERRY RD NE  
ATLANTA, GA 30326-1302

### Receipt Detail

Receipt ID: 004819768  
Receipt Date: 05/20/2019  
Receipt Total: \$40.00

Item	Description	Check/Ref #	DLN #	Price	#	Amount
Summons	Summons	07441545		\$20.00	1	\$20.00
Deposit-Account	THE ROTH FIRM LLC, ATLANTA, GA	69819		\$20.00	1	\$20.00
Payment-Check/MO	THE ROTH FIRM LLC, ATLANTA, GA	123571	B0695-8076	\$40.00	1	(\$40.00)

Phone (615) 741-2286 \* Fax (615) 741-7310 \* Website: <http://tnbear.tn.gov/>



RETURN TO CLERK

MONROE County	<b>STATE OF TENNESSEE</b> <b>CIVIL SUMMONS</b> page 1 of 1	Case Number <u>V190098P</u>
CASEY A. YATES and ANDREW C. YATES Vs. RONALD GEORGE LOTT and HEAVY WEIGHT ENTERPRISES, INC		

Served On:

HEAVY WEIGHT ENTERPRISES, INC

Registered Agent: Amer Batal 5363 English Drive, Troy, Michigan 48085

\*\*\*Method of Service: Secretary of State\*\*\*

You are hereby summoned to defend a civil action filed against you in Circuit Court, MONROE County, Tennessee. Your defense must be made within thirty (30) days from the date this summons is served upon you. You are directed to file your defense with the clerk of the court and send a copy to the plaintiff's attorney at the address listed below. If you fail to defend this action by the below date, judgment by default may be rendered against you for the relief sought in the complaint.

Issued:

May 16 2019

[Signature]  
Clerk / Deputy Clerk

Attorney for Plaintiff:

Matthew B. Long, Esq.

615-625-5555

The Roth Firm - Nashville, 402 BNA Drive, Ste. 410, Nashville, TN 37217

**NOTICE OF PERSONAL PROPERTY EXEMPTION**

TO THE DEFENDANT(S): Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for your self and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state file number on list.

Mail list to

Clerk,

County

**CERTIFICATION (IF APPLICABLE)**

I, \_\_\_\_\_, Clerk of \_\_\_\_\_ County do certify this to be a true and correct copy of the original summons issued in this case.

Date:

Clerk / Deputy Clerk

OFFICER'S RETURN: Please execute this summons and make your return within ninety (90) days of issuance as provided by law.

I certify that I have served this summons together with the complaint as follows:

Date:

By:

Please Print: Officer, Title

Agency Address

Signature

RECEIVED  
STATE OF TENNESSEE  
2019 MAY 20 AM 9:47  
JUDGE HARGRETT  
SECRETARY OF STATE

RETURN ON SERVICE OF SUMMONS BY MAIL: I hereby certify and return that on \_\_\_\_\_, I sent postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in the above styled case, to the defendant \_\_\_\_\_. On \_\_\_\_\_ I received the return receipt, which had been signed by \_\_\_\_\_ on \_\_\_\_\_. The return receipt is attached to this original summons to be filed by the Court Clerk.

Date:

Notary Public / Deputy Clerk (Comm. Expires \_\_\_\_\_)

Signature of Plaintiff

Plaintiff's Attorney (or Person Authorized to Serve Process)  
(Attach return receipt on back)

ADA: If you need assistance or accommodations because of a disability, please call \_\_\_\_\_, ADA Coordinator, at ( ) \_\_\_\_\_.

Rev. 03/11